1 2 3 4 5	Gary S. Deschenes (Id. No. 2293) DESCHENES & ASSOCIATES LAW OFFICES 309 First Avenue North P.O. Box 3466 Great Falls MT 59403-3466 E-mail: gsd@dalawmt.com Telephone (406) 761-6112 Fax No. (406) 761-6784 Attorneys for Debtor
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8	IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MONTANA
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10	IN RE: ) No. 17-60707
11	DEARBORN VILLAGE, LLC, (Chapter 11)
12	Debtor. )
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14 15	MOTION FOR EXPEDITED SALE OF LOT 3, FREE AND CLEAR OF LIENS, REQUEST FOR EXPEDITED HEARING; AND NOTICE
16	COMES NOW, the Debtor-in-Possession, Dearborn Village, LLC, by and through its
17	counsel of record, Gary S. Deschenes and hereby moves the Court for an expedited order
18	allowing Debtor-in-Possession to sell the real property located at 422-424 Dearborn Avenue,
19	Helena, Lewis and Clark County, Montana, free and clear of liens, pursuant to 11 U.S.C. §363(
20	In support of this Motion, Debtor informs the Court as follows:
21	1. This Court previously approved the sale of property located at 410-418.5
22	Dearborn Avenue, Helena, Lewis and Clark County, Montana, by Order dated September 22,
23	2017, Docket No. 48. The date of contingent approval by the Bank has been extended pursuant
24	to the Stipulation filed at Docket No. 59.
25	2. There is an issue regarding the payment of property taxes that has to be resolved
26	before that sale can close. Debtor has obtained a Buy-Sell offer from Wilson Rental Properties
27	LLC for the property located at 422-424 Dearborn Avenue, Helena, Lewis and Clark County,
28	Montana, for the sum of \$30,000.00. The proceeds from the sale of this property shall be used

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pay the property taxes owing on both properties. A copy of said Buy-Sell Agreement is attached hereto as Exhibit "A" and incorporated herein.

- 3. The sales are expected to close on either November 28 or 29, 2017.
- 4. Previously, there was also an issue with the Construction Liens filed by Harvey Cole, d/b/a Harvey Cole Construction, LLC. Mr. Cole filed an additional Construction Lien on September 22, 2017. Mr. Cole has now signed a release of said Construction Liens. A copy of the release of lien is attached hereto as Exhibit "B" and incorporated herein.
- 5. At closing, secured creditors, Lewis and Clark County and First Community Bank, shall be paid sufficient sums from the sale to satisfy the obligations to them.
- 6. If the sale is not timely approved, Debtor-in-Possession's estate may suffer irreparable harm. If the sale is approved, the undisputed secured creditors will not be harmed as they will be paid.
- 7. There are currently no tenants occupying the properties located at 422-424 Dearborn Avenue, Helena, Montana.
- 8. Debtor has attempted to sell the subject property for over a year, but has been unsuccessful. Debtor has received assistance from Eugene Meegan, a former Realtor and husband of Marianne Meegan, the sole shareholder of Debtor.

In particular, Debtor received four other offers that were below the current offer attached hereto. Debtor's representative, Eugene Meegan, was a former Realtor in Helena, working for Bill Walker Realty. The property was originally purchased through Brokers First Realty of which Allen Bock is a principal. Mr. Bock has remained a friend of the Meegans and has been consulted regarding the property. Mr. Bock would have listed the property if the remodeling would have been completed. Some of the units have been gutted and some remain to be finalized.

The Meegans have also consulted with Joseph Bower who is a real estate investor and owns multiple properties. Mr. Bower is a former president of US Bank in Helena.

1	9. The Meegans and Debtor do not have sufficient funds to finalize the remodeling.
2	Once this building is sold, the Bank will be satisfied and that will free up the equity in property
3	owned by 300 Block Properties, LLC which is a Debtor under cause no. 17-60706-11.
4	10. The following creditors have lien priorities on the subject property:
5	a) Lewis and Clark County property taxes of approximately \$28,000.00.
6	b) First Community Bank of approximately \$600,000.00, plus interest and fees.
7	(See Title Report attached hereto as Exhibit "C".)
8	11. First Community Bank has filed a Conditional Consent.
9	12. Counsel has contacted John H. Grant, counsel for First Community Bank and he
10	consents to this Motion.
11	WHEREFORE, Debtor respectfully requests the Court approve the subject sale, free and
12	clear of liens, Order monies received be held at the title company pending further Order from this
13	Court.
14	DATED this 22nd day of November, 2017.
15	DESCHENES & ASSOCIATES LAW OFFICES
16	BY:/s/ Gary S. Deschenes
17	Gary S. Deschenes Attorney for Debtor
18	Attorney for Deotor
19	CERTIFICATE OF SERVICE
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21	I, the undersigned, do hereby certify under penalty of perjury that on November 22, 2017, or as soon as possible thereafter, copies of the foregoing MOTION FOR EXPEDITED SALE OF LOT 3, FREE AND CLEAR OF LIENS, REQUEST FOR EXPEDITED HEARING;
22	AND NOTICE was served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and that in addition service by mailing
23	a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users:
24	See attached mailing matrix
25	DATED this 22nd day of November, 2017.
26	/s/ Lisa Peck
27	Lisa Peck
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